

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Hoa Thien DANG  
Yannick MOYSAN

Serial No.: 10/557,284

Filed: November 17, 2005 (per PTO Records)  
November 18, 2005 (Actual)

For: SUBSTRATE WITH AN ANTI-SOILING  
COATING

Group Art Unit: 1773

Examiner: NAKARANI, DHIRAJLAL S

Atty. Dkt. No.: ESSR:087US

Confirmation No.: 8524

**CERTIFICATE OF ELECTRONIC SUBMISSION**

DATE OF SUBMISSION: January 26, 2007

**PETITION TO ACCORD FILING DATE UNDER 37 C.F.R. § 1.10(d)**

**MS PETITIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

A corrected filing date is hereby requested under 37 C.F.R. § 1.10(d) in view of an incorrect filing date apparently recorded by the United States Patent and Trademark Office ("USPTO").

This error occurred due to a United States Post Office clerical error, and correction of the filing date actually makes the filing date one day later than that currently in the United States Patent and Trademark Office records. Further, Applicants are currently unaware of any impact that this one day difference in filing date could have on the patentability of the present claims.

However, Applicants file this petition to assure correctness of the USPTO records and any patent that issues from this application.

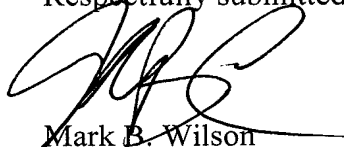
The facts of this situation are as follows. This application was filed on November 18, 2005, by deposit in the “Express Mail Post Office to Addressee” service with the United States Postal Service (“USPS”) in Austin, Texas, prior to the last scheduled pickup for that day. The “date-in” entered by the USPS on the “Express Mail” mailing label (attached as Exhibit A) is incorrectly written as November 17, 2005, which is evidenced by the fact that the “date-stamp” placed on the “Express Mail” mailing label is November 18, 2005. The above-captioned application was enclosed in an “Express Mail” envelope with an “Express Mail Post Office to Addressee” mailing label bearing the number EV 674812728 US. This Express Mail Number was placed on the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission under 35 U.S.C. 371 (attached as Exhibit B), submitted with the application prior to the original mailing by “Express Mail Post Office to Addressee” on November 18, 2005, further evidencing that this application was filed on November 18, 2005. Applicants also submit a copy of the “Fulbright & Jaworski Express Mail Log – Austin, Texas” (attached as Exhibit C), which came into being after deposit and within one business day of the deposit of the correspondence in the “Express Mail Post Office to Addressee” and includes Express Mail number EV 674812728 US, dated November 18, 2005, evidenced by the fact that the “date-stamp” placed on the Express Mail Log by the USPS is dated November 18, 2005.

In light of the above statements and attached Exhibits, Applicants respectfully request that the filing date of the application be corrected to November 18, 2005. No fees are believed to be due in connection with this petition. However, should any fee under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Commissioner is hereby

authorized to deduct said fee from Fulbright & Jaworski, L.L.P. Deposit Account No. 50-1212/ESSR:087US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark B. Wilson', written over a horizontal line.

Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: January 26, 2007

# EXHIBIT A

 EV 674812728 US		 <b>EXPRESS MAIL</b> UNITED STATES POSTAL SERVICE®		<b>Customer Copy</b> Label 11-F, April 2004	
<b>ORIGIN (POSTAL SERVICE USE ONLY)</b>		<b>DELIVERY (POSTAL USE ONLY)</b>			
<b>PO ZIP Code</b> 78701	<b>Day of Delivery</b> <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	<b>Postage</b> \$ 13.65	<b>Delivery Attempt</b>	<b>Time</b> <input type="checkbox"/> AM <input type="checkbox"/> PM	<b>Employee Signature</b>
<b>Date Accepted</b> 11 17 05	<b>Scheduled Date of Delivery</b> Month 11 Day 21	<b>Return Receipt Fee</b> \$ 4	<b>Delivery Attempt</b>	<b>Time</b> <input type="checkbox"/> AM <input type="checkbox"/> PM	<b>Employee Signature</b>
<b>Time Accepted</b> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM 6:30	<b>Scheduled Time of Delivery</b> <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	<b>COD Fee</b> \$	<b>Delivery Date</b>	<b>Time</b> <input type="checkbox"/> AM <input type="checkbox"/> PM	<b>Employee Signature</b>
<b>Flat Rate</b> <input type="checkbox"/> or <b>Weight</b> <input checked="" type="checkbox"/> 9.6 lbs. ozs.	<b>Military</b> <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	<b>Total Postage &amp; Fees</b> \$ 13.65	<input type="checkbox"/> <b>WAIVER OF SIGNATURE (Domestic Mail Only)</b> Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
<b>Int'l Alpha Country Code</b>		<b>Acceptance Emp. Initials</b> S	<b>NO DELIVERY</b> <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
<b>CUSTOMER USE ONLY</b> <b>METHOD OF PAYMENT:</b> A787785		<b>Customer Signature</b>			
<b>Express Mail Corporate Acct. No.</b>		<b>Federal Agency Acct. No. or Postal Service Acct. No.</b>			
<b>FROM: (PLEASE PRINT)</b> MARK P. WILSON PULBRIGHT & JANDRSKI L.L.P. 600 CONGRESS AVE STE 2400 AUSTIN TX 78701-3271 512 536-3035		<b>TO: (PLEASE PRINT)</b> MAIL STOP PCT COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450			
ESSR: 08705/10511994		FEES			
<b>FOR PICKUP OR TRACKING: Visit <a href="http://www.usps.com">www.usps.com</a> or Call 1-800-222-1811</b>					

# EXHIBIT B

EV674812728US

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER ESSR:087US
U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		
INTERNATIONAL APPLICATION NO. PCT/EP2005/011415	INTERNATIONAL FILING DATE 21 October 2005	PRIORITY DATE CLAIMED 22 October 2004
TITLE OF INVENTION SUBSTRATE WITH AN ANTI-SOILING COATING		
APPLICANT(S) FOR DO/EO/US Hoa Thien DANG; Yannick MOYSAN		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/EP2005/011415		ATTORNEY'S DOCKET NUMBER ESSR:087US	
20. Other items or information:  PCT Request					
The following fees have been submitted				<b>CALCULATIONS      PTO USE ONLY</b>	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations.....\$200				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations.....\$500				\$ 500.00	
<b>TOTAL OF 21, 22 and 23 =</b>				1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
23 - 100 =	0 / 50 =	0	x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	13 - 20 =	0	x \$ 50	\$	
Independent claims	2 - 3 =	0	x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.					
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
				+	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
				+	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,040.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☒ A check in the amount of \$ 1,040.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1212. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 32425

Express Mail No.: EV 674812728 US  
Mailing Date: November 18, 2005

*Michael R. Kromer* (51, 898) for:

*Michael R. Kromer*  
SIGNATURE

for Mark B. Wilson  
NAME

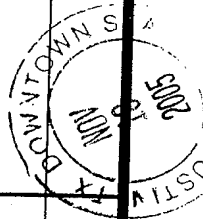
37,259  
REGISTRATION NUMBER

*Martinez*

FULBRIGHT & JAWORSKI EXPRESS MAIL LOG - AUSTIN, TEXAS  
Alias

EXHIBIT C

DATE MAILED	EXPRESS MAIL #	RECHARGE #	DOCKET #	ALIEN NAME (REG NO)	CONFIRMATION INVESTIGATOR
11-18-05	EV674812820US	10512424	THMC:017W0	SDS	ABG
	EV448720271US	08001973	MYDG:062USP1	SLH	
	EV448717136US	10512328	INRP:050USC2	GS	
	EV448717105US	10510829	UTSC:950USP1	DLP 32165	GH 11/21/05
	EV448720679US	10413504	THMC:017US	MTG 441699	GH 11/21/05
	<del>EV448720679US</del> EV674812728US	10511994	ESSR:08705	MBW 37259	pm 11/21/05



DATE: 11-18-05

*ABG*

SIGNATURE:

(F&J EMPLOYEE)

DATE:

SIGNATURE:

(POSTAL AGENT)